

REMARKS

Applicant requests reconsideration of the application in view of the foregoing amendments and the discussion that follows. The status of the claims is as follows. Claims 41-97 were previously canceled without prejudice to Applicant's filing of divisional applications to the separately patentable subject matter thereof and Claim 26 was previously canceled. Claims 1, 5, 7, 9, 15-18, 20, 21, 28, 29, 98-101, 106-108 and 126-128 stand rejected and Claims 2-4, 6, 8, 10-14, 19, 22-25, 27-40, 102-105, 109-125 and 129-147 stand objected to. Claims 1, 28, 106 and 126 were amended herein, Claims 3, 4 and 98-101 were canceled, and Claims 148-165 were added.

The Amendment

Claim 1 was amended to incorporate the subject matter of Claims 3 and 4, which were objected to.

Claim 28 was amended to delete "about."

Claims 106 and 126 were amended to recite "further comprises."

Claim 148 was added and is based on Claim 1 and Claim 11, which was objected to. Claim 149 was added and depends from Claim 148 and finds support in original Claim 13. Claims 150-156 were added and depend ultimately from Claim 148 and find support in original Claims 3, 4, 5, 15, 16, 17-19 and 20-22, respectively.

Claim 157 was added and is based on Claims 1 and Claims 6, 8, 10 and 23, which were objected to. Claims 158-165 were added and depend ultimately from Claim 157 and find support in original Claims 2, 3, 4, 11, 12, 15, 16 and 17-19, respectively.

Rejection under 35 U.S.C. §112

Claims 28 and 29 were rejected under the first paragraph of the above code section and Claims 28, 29, 106-108 and 126-128 were rejected under the second paragraph of the above code section. Applicant submits that the above amendments obviate these grounds of rejection.

Rejection under 35 U.S.C. §102

Claims 1, 5, 7, 9, 15, 17, 18, 20, 21, 98 and 100 were rejected under paragraph (b) of the above code section as being anticipated by Mitsuhashi, *et al.* (U.S. Patent No. 5,556,749) (Mitsuhashi) for the reasons of record. Without acquiescing in the arguments set forth in the Office Action, Applicant has amended Claim 1 to include the subject matter of Claims 3 and 4, which were objected to. Furthermore, Applicant has canceled Claims 98-101, thus rendering moot the rejection of Claims 98 and 100. Applicant's actions above are taken without prejudice to Applicant's rights to pursue the aforementioned rejected claims in continuation applications.

Rejection under 35 U.S.C. §103

Claims 1, 5, 7, 9, 15-18, 20, 21 and 98-101 were rejected under paragraph (a) of the above code section as being unpatentable over Mitsuhashi in view of Southern (U.S. Patent No. 5,700,637) for the reasons of record. Without acquiescing in the arguments set forth in the Office Action, Applicant has amended Claim 1 to include the subject matter of Claims 3 and 4, which were objected to. Furthermore, Applicant has canceled Claims 98-101, thus rendering moot the rejection of Claims 98-101. Applicant's actions above are taken without prejudice to Applicant's rights to pursue the aforementioned rejected claims in continuation applications.

Objected to Claims

Claims 4, 6, 8, 10-14, 19, 22-25, 27, 30-40, 102-105, 109-125 and 129-147 were objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. Applicant has amended Claim 1 to include the subject matter of Claim 4 and has added Claims 148 and 157 to place Claims 11 and Claims 6, 8, 10 and 23 in independent form. Applicant has also added Claims 149-156 to depend from Claim 148 and Claims 158-165 to depend from Claim 157.

Grammatical Informality

The Office Action asserts that there is a grammatical error in the phrase "said parameters is less than about 0.5" and suggested that "are" should be used in place of "is." However, the subject of the verb in this phrase is "value" because the entire

phrase is as follows: "where the absolute value of a correlation coefficient between said parameters is less than 0.5." (underlining added) Accordingly, the verb usage is correct.

Conclusion

Claims 1-2, 5-25, 27-40 and 102-165 satisfy the requirements of 35 U.S.C. §§112, 102 and 103. Allowance of the above-identified patent application, it is respectfully submitted, is in order.

Respectfully submitted,



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